UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,255	09/27/2001	Douglas W. Clark	IDF 1749 (4000-05900)	3385

			EXAMINER
28003	7590	10/12/2005	NGUYEN, DUSTIN

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ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 10/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/965,255	CLARK ET AL.
	Examiner	Art Unit
	Dustin Nguyen	2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _28 June 2005_.
2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-17_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _1-13 and 15-17_ is/are rejected.
7) ☒ Claim(s) _14_ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on _28 June 2005_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1 – 17 are presented for examination.

Allowable Subject Matter

2.   Claim 14 is objected to as being dependent upon a rejected base claim, but would be

allowable if rewritten in independent form including all of the limitations of the base claim and

any intervening claims.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1-13 and 15, are rejected under 35 U.S.C. 103(a) as being unpatentable over Petty

[US Patent No 6,615,215], in view of Chu et al. [US Patent Application No 2002/0123966].

5.   As per claim 1, Petty discloses the invention substantially as claimed including a

distributed computing environment, comprising:

a server computer platform on which a server process application resides [i.e. web-server
] [col 5, lines 46-53];

a system for monitoring said queue-based messaging system [col 2, lines 23-25; and col
3, lines 43-46], said monitoring system selecting at least two of said plurality of queues [col 5,
lines 10-30; and col 10, lines 1-3] and at least two of said plurality of attributes describing one
or more of said plurality of queues [i.e. setting low and high level of depth] [206, 208, Figure
2; and col 9, lines 58-64] and generating a display which includes a current value for said
selected attributes for each one of said selected queues described thereby [col 3, lines 6-14]; and

each one of said plurality of queues described by a plurality of attributes [col 1, lines 46-
56].

Petty does not specifically disclose

a plurality of client computer platforms coupled to said server computer platform, each
one of said plurality of client computer platforms having a client process application residing
thereon,

a queue-based messaging system for controlling the exchange of messages between said
server process application and said plurality of client process applications, said queue-based
messaging system comprising a messaging application residing at each one of said server
computer platform and said plurality of client computer platforms, said messaging application
residing at said server computer platform managing a plurality of queues.

Chu discloses

a plurality of client computer platforms coupled to said server computer platform [Figure

1; and paragraph 0023], each one of said plurality of client computer platforms having a client

process application residing thereon [82, Figure 3; and paragraph 0003],

a queue-based messaging system for controlling the exchange of messages between said

server process application and said plurality of client process applications [86, Figure 3; and

paragraphs 0029 and 0030], said queue-based messaging system comprising a messaging

application residing at each one of said server computer platform [94, Figure 3; and paragraph

0032] and said plurality of client computer platforms [92, Figure 3; and paragraph 0032], said

messaging application residing at said server computer platform managing a plurality of queues [

95, Figure 3; and paragraphs 0030 and 0031].

It would have been obvious to a person skill in the art at the time the invention was made

to combine the teaching of Petty and Chu because Chu's teaching of queue-based messaging

system between plurality of clients and server would allow guarantee deliver of message

between client and server [Chu, paragraph 0043].

6.   As per claim 2, Petty discloses wherein each one of said plurality of queues is a local

queue for receiving messages originating at a corresponding one of said plurality of client

process applications and destined for said server process application [col 1, lines 23-34; and col

3, lines 34-46].

7.   As per claim 3, Petty discloses wherein a first one of said plurality of selected attributes
is common to all queues [col 2, lines 23-40] and a second one of said plurality of selected
attributes is unique to local queues [col 1, lines 43-45].

8.   As per claim 4, Petty discloses second one of plurality of selected attributes is a depth
attribute [col 1, lines 46-56].

9.   As per claim 5, Petty discloses first one of said selected attributes is a get attribute [i.e.
take data after query submitted] [col 5, lines 43-57] and said second one of said selected
attributes is a depth attribute [col 1, lines 46-56].

10.   As per claim 6, Petty discloses first and second ones of said plurality of selected
attributes are unique to local queues [col 3, lines 34-45].

11.   As per claim 7, Petty discloses wherein said first one of said selected attributes is a
trigger attribute [col 3, lines 28-33 and lines 46-55] and said second one of said selected
attributes is a depth attribute [col 3, lines 56-58].

12.   As per claim 8, it is rejected for similar reasons as stated above in claim 3.

13.   As per claim 9, it is rejected for similar reasons as stated above in claim 5.

14.   As per claim 10, it is rejected for similar reasons as stated above in claim 1. Furthermore,

Chu discloses at least five client process applications [Figure 5; and paragraph 0038].

15.   As per claims 11-13, they are rejected for similar reasons as stated above in claims 3-7,

and 10.

16.   As per claim 15, it is rejected for similar reasons as stated above in claim 1.

17.   Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petty [

US Patent No 6,615,215], in view of Chu et al. [US Patent Application No 2002/0123966], and

further in view of Cloud et al. [US Patent N 5,634,127].

18.   As per claim 16, Petty and Chu do not specifically disclose reviewing said display of said

value for each one of said at least one attribute for all of said plurality of queues; and initiating

corrective action to rectify messaging failures identified from said review of said display. Cloud

discloses reviewing said display of said value for each one of said at least one attribute for all of

said plurality of queues [i.e. interact] [col 19, lines 5-48 and lines 49-55] and initiating

corrective action to rectify messaging failures identified from said review of said display [i.e.

data correction and error handling] [col 14, lines 27-47]. It would have been obvious to a

person skill in the art at the time the invention was made to combine the teaching of Petty, Chu

and Cloud because Cloud's teaching would allow to user of a common user interface when

accessing any part of a heterogeneous system of computers [Cloud, col 3, lines 42-45].

19.   As per claim 17, it is rejected for similar reasons as stated above in claim 16.

20.   Applicant's arguments with respect to claims 1-17 have been considered but are moot in

view of the new ground(s) of rejection.

21.   A shortened statutory period for response to this action is set to expire **3 (three) months**

and 0 (zero) days from the mail date of this letter. Failure to respond within the period for

response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P

710.02, 710.02(b)).

Conclusion

        Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Dustin Nguyen whose telephone number is (571) 272-3971. The

examiner can normally be reached on flex.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Follansbee can be reached at (571) 272-3964. The fax phone number for the

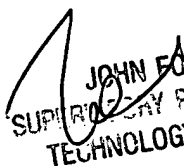organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dustin Nguyen

Examiner

Art Unit 2154

JOHN POLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100